IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
C VIL APPLICATION NO200 OF 2007
IN
SECOND APPEAL NO.280 of 1997.

Janardhan Sarpatil
since deceased through heir
Shantabai Janardhan Sarpatil
..Applicant

versus

Balu Hari Sarpatil
& Others ..Respondents

Mr.V.M. Parshuramani for the Applicant
Mr.R.S.Khandeparkar for the Respondent

Coram : S.R.Sathe, J.
Dated : 15th February, 2007

P.C.

1. Heard both the learned Advocates.

2. This matter was in fact fully heard and fixed for pronouncement of judgment. It is at that stage the learned Advocate for the appellant pointed out that the original appellant has expired and as such it is necessary to bring his heirs on record. Accordingly, the present application has been made. As there is delay of 236 days in filing the present application, applicants have prayed for delay condonation.

3. The learned Advocate for the respondent submits that there is no justifiable cause to

condone the delay. However, for the reasons mentioned in the application, I think that there is justifiable ground to condone the delay. Hence delay condoned. The heirs of original appellant Janardhan Narayan Sarpatil be brought on record. Necessary amendment to be carried out on or before 21.2.2007.

4. C.A.disposed of accordingly.

(S.R.Sathe, J.)